

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of )  
 )  
 LICENSE COMMUNICATIONS SERVICES, )  
 INC. )  
 )  
 Licensee of Industrial/Business Pool (YG) Station )  
 WPQF492, Los Angeles County, California )

**ORDER OF MODIFICATION**

**Adopted: July 7, 2010**

**Released: July 7, 2010**

By the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau:

1. *Introduction.* By this *Order of Modification*, we modify the license of License Communications Services, Inc. (LCS) for Industrial/Business Pool Station WPQF492, Los Angeles County, California, by changing the station class for frequencies 472.4250 MHz, 472.4500 MHz, 472.7000 MHz, 472.9250 MHz, and 472.9500 MHz from FB8T to FB6T. As explained below, we take this action pursuant to an earlier order proposing to modify LCS's license.<sup>1</sup>

2. *Background.* LCS's license for Station WPQF492 authorizes operation of centralized trunked temporary base stations (station class code FB8T) and associated mobile units on 12.5 kHz "offset" frequency pairs 472/475.4250 MHz, 472/475.4500 MHz, 472/475.7000 MHz, 472/475.9250 MHz, and 472/475.9500 MHz. Mobile Relay Associates (MRA) requested that the license be modified by deleting frequency pairs 472/475.9250 MHz and 472/475.9500 MHz, on the grounds that Station WPQF492 did not provide the requisite interference protection<sup>2</sup> to its operations on adjacent frequency pair 472/475.9375 MHz under Call Sign WIL648.<sup>3</sup> In the alternative, MRA requested that the license be modified by changing the station class code to permit only decentralized trunked (station class code FB6T) or conventional operations, which would require LCS to monitor the frequencies before

<sup>1</sup> See License Communication Services, Inc., *Order on Reconsideration and Order Proposing Modification*, 25 FCC Rcd 3680 (2010) (*Order Proposing Modification*).

<sup>2</sup> In 1997, the Commission directed the certified frequency coordinators for the private land mobile radio services to reach a consensus on the applicable coordination procedures for the 12.5 kHz "offset" channels in the 470-512 MHz frequency band. See Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignment Policies of the Private Land Mobile Services, *Second Report and Order*, PR Docket No. 92-235, 12 FCC Rcd 14307, 14330-31 ¶ 43 (1997). That consensus is embodied in the Land Mobile Communications Council (LMCC) procedures for evaluating adjacent channel interference in the 470-512 MHz band using the interference criteria of Telecommunications Industry Association/Electronics Industry Association Telecommunications Systems Bulletin 88 (TIA/EIA/TSB-88), *Wireline Communications System – Performance in Noise and Interference-Limited Situations – Recommended Methods for Technology-Independent Modeling, Simulation, and Verification* (January 1998). See Filing Freeze to Be Lifted for Applications under Part 90 for 12.5 kHz Offset Channels in the 421-430 and 470-512 MHz Bands, *Public Notice*, 13 FCC Rcd 5942, 5942 (WTB 1997) (citing Letter from Larry A. Miller, President, LMCC, to Daniel B. Phythyon, Esq., Acting Chief, Wireless Telecommunications Bureau (Sept. 10, 1997) (LMCC Consensus)). The LMCC Consensus provides that an application shall not be certified if an incumbent or the applicant has unacceptable interference of more than five percent reduction of the calculated service area reliability. See LMCC Consensus, Attachment at 2.

<sup>3</sup> See Request to Initiate Modification Proceedings (filed Mar. 23, 2004).

transmitting.<sup>4</sup>

3. In 2010, the Commission held that licenses should not be granted with station class code FB8T, because authorizing temporary base stations anywhere within a licensee's authorized operating area could allow the licensee to expand the contour of its unmonitored operations into areas where it does not have exclusivity, which could result in interference to other licensees.<sup>5</sup> The Commission also stated that existing FB8T authorizations will be renewed with a station class code of FB2T (private, internal systems) or FB6T (for-profit private carriers), as appropriate, which will require those licensees to monitor before transmitting.<sup>6</sup> The Commission suggested the individual FB8T licenses can be modified by changing the station class code prior to renewal, if appropriate under the circumstances.<sup>7</sup>

4. Subsequently, the Division proposed to modify LCS's license, pursuant to Section 316 of the Communications Act of 1934, as amended,<sup>8</sup> by changing the station class code for frequencies 472.9250 MHz and 472.9500 MHz from FB8T to FB6T, which would require LCS to monitor the channels prior to transmission.<sup>9</sup> The Division also proposed, on its own motion, to modify the station class for frequencies 472.4250 MHz, 472.4500 MHz, and 472.7000 MHz from FB8T to FB6T, rather than waiting until the license is renewed.<sup>10</sup>

5. *Discussion.* The *Order Proposing Modification* was released on April 14, 2010. LCS did not protest the proposed modification of its license within the requisite thirty-day time frame.<sup>11</sup> Accordingly, LCS is deemed to have consented to the proposed modification. Based on the record before us, we conclude that it is in the public interest to modify LCS's license for Industrial/Business Pool Station WPQF492, Los Angeles County, California, by changing the station class for frequencies 472.4250 MHz, 472.4500 MHz, 472.7000 MHz, 472.9250 MHz, and 472.9500 MHz from FB8T to FB6T.

6. *Conclusion and Ordering Clauses.* Accordingly, IT IS ORDERED, pursuant to Sections 4(i) and 316(a) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 316(a), and Section 1.87 of the Commission's Rules, 47 C.F.R. § 1.87, that the license of License Communications Services, Inc. for Industrial/Business Pool Station WPQF492, Los Angeles County, California BE MODIFIED by changing the station class for frequencies 472.4250 MHz, 472.4500 MHz, 472.7000 MHz, 472.9250 MHz, and 472.9500 MHz from FB8T to FB6T.

7. IT IS FURTHER ORDERED that this *Order of Modification* SHALL BE SENT by certified mail, return receipt requested, to License Communications Services, Inc., 18662 MacArthur, Suite 200, Irvine, CA 92612, Attn. Alan M. Lurya.

8. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the

<sup>4</sup> See *id.* at 5-6.

<sup>5</sup> See Amendment of Part 90 of the Commission's Rules, *Second Report and Order and Second Further Notice of Proposed Rule Making*, WP Docket No. 07-100, 25 FCC Rcd 2479, 2486-87 ¶ 20 (2010).

<sup>6</sup> *Id.* at 2487 ¶ 21.

<sup>7</sup> *Id.* at 2487 n.68.

<sup>8</sup> 47 U.S.C. § 316.

<sup>9</sup> See *Order Proposing Modification*, 25 FCC Rcd at 3684-85 ¶ 10. The Division had previously proposed to delete those frequencies, but later reconsidered that decision. See License Communications Services, Inc., *Order Proposing Modification*, 22 FCC Rcd 17596, 17598 ¶ 8 (WTB MD 2007), *on recon.*, *Order*, 24 FCC Rcd 3228 (WTB MD 2008).

<sup>10</sup> See *Order Proposing Modification*, 25 FCC Rcd at 3685 ¶ 12.

<sup>11</sup> See 47 C.F.R. § 1.87(g)(1).

Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone  
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